

REMARKS

Applicants thank the Examiner for the Final Office Action of August 31, 2010. This Amendment is in full response thereto. Thus, Applicants respectfully request continued examination and allowance of the application.

Claims 11-18 and 20-21 are pending in this application.

Claim Objections

Claim 13 is objected to because it is dependant upon a rejected base claim. Claim has been amended to place it in independent form. Thus, the objection may be withdrawn.

Claim Rejections Under 35 U.S.C. § 103:

Claims 11, 12, 14 and 16-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ettlinger (USPN 6,595,382) in view of Immel, et al. (US Pub. 2004/0195246).

Claim 11 has been amended to recite that the at least two flexible linking elements physically link a main face of the outer casing and a main face of the inner casing. Support for this amendment is found in FIG 1.

Ettlinger and Immel fail to disclose, teach or suggest a physical link between a main face of an outer casting to a main face of an inner casing via at least two flexible linking elements. The Examiner admits that Ettlinger fails to teach flexible linking elements. Applicants respectfully assert that Immel fails to disclose the recited physical linking of main faces of an outer casing and an outer facing via at least two flexible linking elements.

Immel discloses a similar container with an inner casing 22 arranged in an outer casing 28 with a vacuum insulation space in between. Immel also discloses suspension of an inner tank 22 from a frame 26 via suspension members 50. Notably, Immel does not disclose suspension of the inner tank 22 from the outer tank 28, but rather from the frame 26. Thus, Immel does not teach what the claimed

subject matter requires, namely: at least two flexible linking elements physically linking a main face of the outer casing and a main face of the inner casing.

Because the inner casing of the claimed subject matter is physically linked to the outer casing by the flexible linking elements, the inner casing is far less susceptible to damage when the outer casing is sharply moved. On the other hand, because the examiner's proposed hypothetical combination of Ettlinger and Immel teachings attempts to avoid the effects of such movements through connection of the inner casing to a frame nestled (without any physical linking thereto) between the inner and outer casings, the inner casing is far less supported. In comparison to the claimed subject matter, the inner casing of the hypothetical combination of Ettlinger and Immel suggested by the examiner would likely sustain relatively greater injury thereto when the outer casing is subjected to a sharp movement. Again, this is due to its not being physically linked to the outer casing like the claimed subject matter.

Thus, for the reasons described above the rejection should be withdrawn.

CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

A Request for Continued Examination has been contemporaneously filed with this Amendment along with the associated fee. Otherwise, it is believed that no other fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,

Date: November 30, 2010

/Christopher J. Cronin/

Application No.: 10/561,291
Amendment dated November 30, 2010
Response to Final Office Action dated August 31, 2010

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